

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE WESTERN DISTRICT OF TEXAS  
SAN ANTONIO DIVISION**

<b>IN RE:</b>	<b>§</b>	<b>NO. 16-52586-cag</b>
	<b>§</b>	
<b>SALDIVAR HOME HEALTH, INC.</b>	<b>§</b>	
	<b>§</b>	
<b>DEBTOR</b>	<b>§</b>	
	<b>§</b>	<b>CHAPTER 11 PROCEEDING</b>

**RESPONSE TO MOTION OF THE UNITED STATES TRUSTEE  
TO DISMISS CASE**

**TO THE HONORABLE BANKRUPTCY JUDGE:**

Saldivar Home Health, Inc. ("Debtor"), the Chapter 11 Debtor, files this Response to the Motion of the United States Trustee ("UST") to dismiss this case ("Motion") and would assert the following:

**Answer**

1. The allegations in Paragraph 1 and 2 of the Motion are admitted.
2. In response to the allegations contained in paragraph 2 of the Motion, Debtor admits that various proof of claims have been filed but deny they are owed in the amount asserted.
3. The allegations in paragraph 4 of the Motion are admitted. Debtor asserts all reports will be filed in very short order.
4. In response to the allegations in paragraph 5 of the Motion are admitted. However, Debtor asserts it will pay all monies owed to the UST.
5. The allegations in Paragraphs 6 through 10 are denied.

**Further Response**

9. Debtor asserts this case should not be dismissed.
10. This debtor has not been idle during the relatively brief time in bankruptcy. Debtor has been in negotiations with Palmetto GBA, LLC to reduce the automatic recoupment Palmetto has been taking before and since the bankruptcy filing. Debtor believes it has reached an agreement with Mr. Gary Wright, the assistant United States

Attorney representing Palmetto. If the agreement is confirmed, Debtor will be in position to formulate a plan of reorganization.

11. Debtor believes all the reports will be filed shortly and all fees paid.

12. The only ability to repay these obligations is to permit the Debtor to confirm its agreement with Palmetto and formulate a Plan. This will also allow the Debtor to stay in existence.

WHEREFORE, premises considered, Debtor requests the court to deny the motion to dismiss and for such other and further relief, at law or in equity, as to which it may be justly entitled.

Respectfully submitted,

/s/Dean W. Greer

DEAN W. GREER  
Attorney for Debtor  
2929 Mossrock, Suite 117  
San Antonio, Texas 78230  
(210) 342-7100  
(210) 342-3633 - Telecopier  
State Bar No. 08414100

#### **CERTIFICATE OF SERVICE**

I hereby certify that a true and correct copy of the Response to the United State Trustee's Motion to Dismiss was served by electronic means for all Pacer system participants and/or by first class mail, postage prepaid, to all parties listed on the attached Service List on this the 28<sup>th</sup> day of May, 2017.

/s/ Dean W. Greer  
DEAN W. GREER

Label Matrix for local noticing  
0542-5  
Case 16-52586-cag  
Western District of Texas  
San Antonio  
Fri May 19 10:52:20 CDT 2017

AT&T Corp  
c/o AT&T Services Inc.  
Karen A. Cavagnaro - Lead Paralegal  
One AT&T Way, Room 3A104  
Bedminster, NJ 07921-2693

American Specialty Advertising  
899 Skokie Blvd Ste 112  
Northbrook IL 60062-4037

Decision Health  
PO Box 9405  
Gaithersburg MD 20898-9405

(p)FORD MOTOR CREDIT COMPANY  
P O BOX 62180  
COLORADO SPRINGS CO 80962-2180

HomeCare Medical Equipment  
401 Flournoy Rd  
Alice TX 78332

(p)INTERNAL REVENUE SERVICE  
CENTRALIZED INSOLVENCY OPERATIONS  
PO BOX 7346  
PHILADELPHIA PA 19101-7346

Kimberly A. Walsh  
Assistant Attorney General  
Bankruptcy & Collections Division  
PO Box 12548  
Austin, TX 78711 2548

Moreno Physical Therapy  
3632 Josefina Dr.  
Laredo TX 78041-1956

RGV Therapists PC  
1617 E Tyler Avenue Ste F  
Harlingen TX 78550-7480

Saldivar Home Health Inc.  
P.O. Box 3531  
Alice, TX 78333-3531

Alianz Medical Inc.  
9858 Gades Road Ste D3-114  
Boca Raton FL 33434-3983

Attorney General of the U.S.  
10th & Const. Ave. N.W.#5111  
Washington, D.C 20530-0001

Direct Rehab Inc  
1635 NE Loop 410 Ste 506  
San Antonio TX 78209-1618

Ford Motor Credit Company LLC  
c/o Christopher Naylor  
5120 Woodway, Ste. 9000  
Houston, Texas 77056-1725

Homecare Dimensions Inc  
12500 Network Blvd. #210  
San Antonio TX 78249-3301

Internal Revenue Service  
PO Box 7346  
Philadelphia PA 19101-7346

Laredo Sports Medicine Clinic  
9652 McPherson Ste 12  
Laredo TX 78045-6567

Palmetto GBA LLC  
8300 Springdale Drive  
Camden South Carolina 29020

Southwestern Bell Telephone Company  
& AT&T Services, Inc.  
Karen Cavagnaro, Esq.  
One AT&T Way, Room 3A104  
Bedminster, NJ 07921-2693

U.S. BANKRUPTCY COURT  
615 E. HOUSTON STREET, ROOM 597  
SAN ANTONIO, TX 78205-2055

Allegro Medical  
360 Veterans Pkwy Ste 115  
Bolingbrook IL 60440-4673

Bexar County  
c/o Don Stecker  
711 Navarro, Suite 300  
San Antonio, TX 78205-1749

Elizabeth H Hogur Esq.  
107 Guilford  
Summerville SC 29483-5583

Gulf South Medical Supply  
PO Box 841968  
Dallas TX 75284-1968

Homeline Medical Inc  
14906 Collections Center Dr.  
Chicago IL 60693-0149

Jim Wells CAD  
c/o Diane W. Sanders  
Linebarger Goggan Blair & Sampson, LLP  
P.O.Box 17428  
Austin, TX 78760-7428

McKesson Medical-Surgical  
Minnesota Supply, Inc.  
4345 Southpoint Blvd.  
Jacksonville, FL 32216-6166

Palmier Comprehensive Physical Therapy  
3115 W Alberta Rd.  
Edinburg TX 78539-9402

Texas Workforce Commission  
Regulatory Integrity Division - SAU  
Room 556  
101 E. 15th Street  
Austin, TX 78778-0001

Exhibit A

U. S. Attorney/IRS  
601 N. W. Loop 410, Suite 600  
San Antonio, Texas 78216-5512

U. S. Trustee  
615 E. Houston St. Room 533  
San Antonio, Texas 78205-2055

U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES  
VICTORIA ABRIL  
ASSOCIATE REGIONAL ADMINISTRATOR DHHS  
26 FEDERAL PLAZA ROOM 38-130  
NEW YORK, NY 10278-0004

United States Trustee - SA12  
US Trustee's Office  
615 E Houston, Suite 533  
PO Box 1539  
San Antonio, TX 78295-1539

Walsh Anderson Brown Gallegos & Green  
PO Box 2156  
Austin TX 78768-2156

Walsh Gallegos Trevino Russo & Kyle P.C.  
10375 Richmond Ave., Suite 750  
Houston, Texas 77042-4196

Dean William Greer  
2929 Mossrock, Suite 117  
San Antonio, TX 78230-5141

The preferred mailing address (p) above has been substituted for the following entity/entities as so specified  
by said entity/entities in a Notice of Address filed pursuant to 11 U.S.C. 342(f) and Fed.R.Bank.P. 2002 (g)(4).

Ford Motor Credit Company LLC  
Dept. 55953, P.O. Box 55000  
Detroit, MI 48255

Internal Revenue Service  
P. O. Box 21126  
Philadelphia, PA 19114

End of Label Matrix	
Mailable recipients	36
Bypassed recipients	0
Total	36